

EXHIBIT 17

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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF MASSACHUSETTS

5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHINGTON and the CITY

10 OF BOSTON,

11 Defendants

12
13 DEPOSITION OF ERIN T. WITHINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

16 SMITH & DUGGAN LLP

17 55 Old Bedford Road

18 Lincoln, Massachusetts 01773-1125

19
20
21
22 FARMER ARSENAULT BROCK LLC

23 617.790.4404 FAX 617.728.4403

24 Reporter: Cynthia C. Henderson/RPR

8 (Pages 26 to 29)

Erin T. Withington - March 31, 2005

<p>26</p> <p>1 Q. Had any other detective done any 2 investigation on this case between December 22nd and 3 January 7th when you went out on leave other than 4 you? 5 A. No, they did not. 6 Q. Do you remember if you had discussed this 7 case with any other of the detectives before you 8 went out on leave? 9 A. Yes, I had. 10 Q. And who did you discuss it with before you 11 went out on leave? 12 A. I know I spoke with Detective Barry and 13 Detective Lembo. 14 Q. Did you speak with any other detectives 15 other than Detectives Barry and Lembo concerning 16 this investigation before you went out on leave? 17 A. No, not that I remember. 18 Q. And were either Detectives Barry or Lembo 19 supervisors back in 2003? 20 A. No. 21 Q. They were both detectives, as you were? 22 A. Yes. 23 Q. What conversation did you have with 24 Detective Barry regarding this investigation before</p>	<p>28</p> <p>1 against him, kissed him, and that's why he was 2 calling. 3 Q. And did Detective Lembo know that Bavis was 4 a Teamster at that time? 5 A. I don't remember if I told him at that 6 time. 7 Q. And what's Detective Barry's first name? 8 A. Allison. 9 Q. How do you spell Allison? 10 A. A-l-l-i-s-o-n. 11 Q. And how about Detective Lembo's first name? 12 A. Thomas. 13 Q. Thank you. Before you went out on leave 14 how many times did Joe Bavis call the Sexual Assault 15 Unit? 16 A. Approximately ten times. 17 Q. Did Mr. Perry call at any time before you 18 went out on leave, that you recall? 19 A. I can't remember. 20 Q. And when I say Mr. Perry, unless I 21 distinguish a first name, it's the Joe Perry that 22 you spoke with on January 22nd. 23 A. Yes. 24 Q. I am sorry. Did Mr. Perry, if you know,</p>
<p>27</p> <p>1 you went out on leave? 2 A. She was in the office when Mr. Perry and 3 Mr. Bavis came in. When they left she asked me what 4 the case was about and I explained to her in a 5 nutshell what the case was about. 6 Q. What did you say to her? 7 A. That he was having a problem with his 8 supervisor, the supervisor was rubbing up against 9 him, and that they both were Teamsters and they were 10 both working at the Hynes Convention Center, and 11 that -- I think that's all I said. 12 Q. How about Detective Lembo? Do you remember 13 what you discussed with Detective Lembo about this 14 investigation before you went out on leave? 15 A. In the interim from December to January and 16 then from January until I came back there was 17 numerous phone calls from Mr. Bavis in between all 18 this, so his name became very well known at our 19 unit, so everybody knew the case was mine; so 20 Detective Lembo asked me what the case was about and 21 why was he still continuing to call, so I explained 22 to him in a nutshell that he was having a problem 23 with his boss, that his boss was a male, he was a 24 male, he was alleging that his boss had rubbed up</p>	<p>29</p> <p>1 call during this period of time between December 2 22nd and when you went out on leave? 3 A. I can't remember if he did. 4 Q. And the ten times that Bavis called the 5 Sexual Assault Unit before you went out on leave, 6 what was the purpose of his calls? 7 A. A couple of times he called. Once he 8 called me back to give me Mr. Dodd's name and phone 9 number. A couple of times he called to tell me that 10 there were other people that were complaining, that 11 he was talking to them about coming forward, but he 12 would get back to me with that, and then a couple of 13 times that he called was once was something else he 14 thought of that Mr. Hosseini had done and I believe 15 once was that Mr. Hosseini had said or done 16 something to him. I think one involved a touching 17 of the arm, and I think Mr. Hosseini had said 18 something to him, so he just wanted me to be aware 19 of what was going on. 20 Q. So these telephone calls after your initial 21 interview of December 22nd, thereabouts, of Bavis 22 and when you went out on leave, one was to provide 23 information on Mr. Dodd to you? 24 A. Yes.</p>